

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

JOHN A. IOZZA,

Plaintiff,

v.

INHABITANTS OF THE TOWN OF  
LIMERICK,

Defendant.

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Civil No. 09-261-P-S

**ORDER ON PENDING MOTIONS**

Before the Court are the following motions filed by Plaintiff Iozza: (1) Motion to Amend the Court's April 16, 2010 Judgment (Docket # 64), (2) Motion for a New Trial Pursuant to Rule 59(b) (Docket # 65), (3) Motion Seeking a Stay Pursuant to Rule 62 (Docket # 68), (4) Motion Seeking Stay and Relief from Judgment Pursuant to Rule 60 & 62 (Docket # 69). Defendant filed responses opposing all of these motions (Docket #s 74-76). The Court then received a reply from Plaintiff on June 1, 2010 (Docket # 78).

The Court notes that Plaintiff filed his notice of appeal on April 26, 2010 (Docket # 62). Nonetheless, the Court has assumed that it retains jurisdiction to decide the pending motions in accordance with Federal Rules of Appellate Procedure 4(a)(4) & 8(a). Nonetheless, after considering all of the arguments presented in Plaintiff's various motions, the Court finds no basis for amending the judgment or otherwise reconsidering the rulings laid out in its April 15, 2010 Order (Docket # 60). For this reason as well as the reasons stated by Defendant in its responses, the Court hereby DENIES each of Plaintiff's pending motions (Docket #s 64, 65, 68 & 69).

SO ORDERED.

/s/ George Z. Singal  
United States District Judge

Dated this 4<sup>th</sup> day of June, 2010.